

Grand Junction, Colorado

August 4, 1976

ADJOURNMENT

It was moved by Councilman Johnson and seconded by Councilman Tufly that the meeting of July 18, 1976, be adjourned. Motion carried.

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m., August 4, 1976, in the Council Chambers at City Hall. Members present and answering roll call: Larry Brown, Harry Colescott, Karl Johnson, Jane Quimby, Elvin Tufly, Robert Van Houten, and President of the Council Lawrence Kozisek. Also present were City Manager James Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Tufly and seconded by Councilman Johnson that the approval of the minutes of the Regular Meeting held July 21, and the Special Meeting held July 28, 1976, be deferred until the August 18, 1976, regularly scheduled Council Meeting. Motion carried.

RESOLUTION OF CONGRATULATIONS - YIKU KOBAYASHI BECOMES UNITED STATES CITIZEN

The following Resolution was presented and read:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That we, the Members of the City Council, do hereby take this occasion to extend to Mr. Hiroyuki Kobayashi our heartiest congratulations in recognition of his initiative and effort in becoming a United States Citizen on August 4, 1976.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to Mr. Kobayashi in recognition of his achievement.

PASSED AND ADOPTED this 4th day of August, 1976.

\_\_\_\_\_  
President of the Council

Attest:

\_\_\_\_\_  
City Clerk

It was moved by Councilman Van Houten and seconded by Councilman Johnson that the Resolution be passed and adopted. Motion carried unanimously.

REGISTRATION OF MANAGER-VFW BEYE LOTZ POST 1247, 1404 UTE AVENUE  
(SENATE BILL NO. 17, BEER AND LIQUOR LICENSING ENACTED IN 1976) -  
MANAGER: VERNON BURROWS

In compliance with Senate Bill No. 17, which became effective July 1, 1976, pertaining to Hotel-Restaurant Liquor licensed establishments with managers, VFW Beye Lotz Grand Junction Post #1247 filed the required registration of its manager, Vernon R. Burrows. A report from the Police Department advised that a background investigation of Mr. Burrows revealed nothing which precludes his operating in this position.

It was moved by Councilman Tufly and seconded by Councilman Van Houten that the registration of Manager Vernon Burrows for VFW Beye Lotz Post 1247, 1404 Ute Avenue, be approved. Motion carried unanimously.

APPOINTMENT OF MICHAEL RODRIQUEZ TO WESTERN COLORADO COMMUNITY  
ACTION PROGRAMS

President Kozisek appointed Mr. Michael Rodriquez to the Western Colorado Community Action Program.

It was moved by Councilman Colescott and seconded by Councilman Johnson that the appointment be ratified. Motion carried unanimously.

PROPOSED ORDINANCE AMENDING SECTION 3.A OF THE ZONING AND  
SUBDIVISION REGULATIONS PERTAINING TO USE GROUPS (5) COMMERCIAL  
USE - 5.1 DRIVE-IN BUSINESS

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING DEFINITION OF DRIVE-IN BUSINESS IN THE ZONING ORDINANCE. It was moved by Councilman Johnson and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried.

RESOLUTION CREATING S.S. 34-76 EL POSO SANITARY SEWER

The following Resolution was read:

RESOLUTION

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 34-76 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO AUTHORIZING THE CONSTRUCTION OF A SANITARY SEWER WITHIN SAID

DISTRICT AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 16th day of June, 1976, the City Council of the City of Grand Junction, Colorado, passed a Resolution Adopting Details, Plans and Specifications for Sanitary Sewer District No. 34-76 and authorizing Notice of Intention to Create said District; and

WHEREAS, Notice to Create said District was duly published; and

WHEREAS, no written complaints or objections have been made concerning the proposed improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

1. That said Sanitary Sewer District No. 34-76 be, and the same is hereby, created and established, and that construction of a sanitary sewer there be, and the same is hereby, authorized and directed, in accordance with the details, plans and specifications prepared and filed therefor.

2. That the construction of the said sanitary sewer shall be made by contract let to the lowest responsible bidder, except that if it be determined by the City Council that the bids are too high, and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by purchasing all necessary material, supplies and equipment.

3. That the sanitary sewer in said District was duly ordered, after Notice duly given; that no remonstrance, protest or objection was filed against the creation or establishment of said District, or any of the proceedings adopted therefor, and all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of said City, and Ordinance No. 178, as amended, being Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, have been strictly complied with.

4. That the description of the sanitary sewer, the boundaries of said Sanitary Sewer District, the amounts to be assessed, the number of installments and assessments, the time in which the cost shall be payable, the rate of interest on unpaid installments and the manner of apportioning and assessing such cost, shall be as prescribed in the Resolution adopted for said District on the 16th day of June, 1976, and in accordance with the published Notice of Intention to Create said District.

5. That after the construction of the sanitary sewer has been let, the Council shall, by resolution, provide for the issuance of public improvement bonds for said Sanitary Sewer District No. 34-76 for the purpose of paying the cost and expenses of construction of said District No. 34-76.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1976.

\_\_\_\_\_  
President of the Council

Attest:

\_\_\_\_\_  
City Clerk

It was moved by Councilman Tufly and seconded by Councilman Van Houten that the Resolution be passed and adopted as read. Upon roll call all Council members voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

S.S. 33-76, PHASE 3 ORCHARD MESA SANITARY SEWER BID BOND AWARD

August 4, 1976, at 2:00 p.m., five bids were received and opened regarding Sanitary Sewer District 33-76, Phase 3, Orchard Mesa Bonds. The Bids were as follows:

<u>Company</u> <u>Average</u> <u>Interest</u> <u>Rate</u> <u>Interest</u>		
Hanifen, Imhoff & Samford, Inc. 5.9024 \$131,918.40		
Kirchner, Moore and Company 5.9689 133,406.67		
E. F. Hutton & Company Inc. 6.4262 143,625.00		
Coughlin & Co., Inc. 6.8333		

152,725.00		
Boettcher & Company6.90147 154,247.96		

It was moved by Councilman Johnson and seconded by Councilman Brown that the award of contract be made to the low bidder, Hanifen, Imhoff & Samford, Inc., at the average interest rate of 5.9024. Motion carried unanimously.

The following Resolution was read:

RESOLUTION

PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS OF SANITARY SEWER DISTRICT NO. 33-76

WHEREAS, on the 2nd day of June, 1976, the City Council of the City of Grand Junction, Colorado, adopted a resolution creating Sanitary Sewer District No. 33-76 within said City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

1. That for the purpose of paying the cost and expenses of constructing the improvements in said Sanitary Sewer District No. 33-76, including engineering, inspection and other incidental expense, the City shall issue public improvement bonds of said Sanitary Sewer District No. 33-76, dated the 1st day of September, 1976, in the denomination of \$1,000.00 each, numbered 1 to 520, inclusive, due and payable on the 1st day of September, 1986, subject to call and payment however at any time prior to the maturity of said bonds, said bonds shall bear interest, payable semi-annually, on the first day of March and the first day of September of each year, as evidenced by coupons to be attached to said bonds as follows:

Bond No. Maturity Amount Interest Rate			
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1 - 901977\$ 90,000.4.25%			
91 - 2101978\$120,00 0.4.50%			
211 - 2601979\$ 50,000.4.75%			
261 - 3051980\$ 45,000.5.00%			
306 - 3551981\$ 50,000.5.25%			
356 - 3901982\$ 35,000.5.50%			
391 - 4151983\$ 25,000.5.75%			
416 - 4551984\$ 40,000.6.00%			
456 - 4851985\$ 30,000.6.125\$			
486 - 5201986\$ 35,000.6.25%			

In addition to the above interest rates, bonds Nos. 1 to 520, inclusive, will bear 1.85% Supplemental Interest Coupons.

Supplemental Coupons commence to accrue interest on October 1, 1976 and continue until September 1, 1977.

The principal of, and interest on, said bonds shall be payable at the office of the City Treasurer of the City of Grand Junction, Colorado, the said bonds shall be signed by the President of the City Council, sealed with the seal of said City and attested by the City Clerk, the coupons shall be signed with the original or facsimile signature of the City Treasurer, and when so executed, said bonds shall be registered by the City Treasurer.

2. Said bonds shall be payable out of the proceeds of a special assessment to be levied upon the real estate situate in the City of Grand Junction, in said improvement district, especially benefited by said improvements, and shall also be payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of the said City, which tax was voted and authorized to make up deficits in special improvement district funds.

3. Said bonds, the coupons to be attached and the registration certificate to be endorsed thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF COLORADO COUNTY OF MESA

CITY OF GRAND JUNCTION

PUBLIC IMPROVEMENT BOND SANITARY SEWER DISTRICT NO. 33-76

No. \_\_\_\_\_ \$1,000.00

The City of Grand Junction, County of Mesa, State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to the bearer hereof, the sum of

ONE THOUSAND DOLLARS

in lawful money of the United States of America, on the first day of September, 1986, subject to call and payment, however, at any time prior thereto with interest thereon from date until payment according to the interest coupons hereto attached payable semi-annually on the 1st day of March and the first day of September each year, both principal and interest being payable at the office of the City Treasurer in Grand Junction, Colorado, upon surrender of the attached coupons and this bond as they severally come due, or are called for payment.

This bond is issued for the purpose of paying the cost of local improvements in Sanitary Sewer District No. 33-76 in the City of Grand Junction, by virtue of, and full conformity with, the

Constitution and laws of the State of Colorado, the Charter of the City of Grand Junction, and requisite resolutions and ordinances of the said City, duly adopted, approved, published and made laws of said City prior to the issue hereof.

This bond is payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction in said Sanitary Sewer District No. 33-76 especially benefited by said improvements; and is also payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 227 of said City, which tax was voted and authorized to make up deficits in special improvement district funds, and the amount of the assessments upon real estate in said District for the payment hereof, with the accrued interest, shall be a lien upon said real estate, and assessed under the Charter and ordinances of said City.

It is hereby certified and recited that the total issue of funds of said City for said District including this bond, does not exceed the estimate of the City Engineer of the cost of said improvements, nor the amount authorized by law, and it is further hereby certified and recited that every requirement of law relating to the creation of said Sanitary Sewer District No. 33-76 and the making of said improvements and the issuance of this bond has been fully complied with by proper officers of said City, and that all conditions required to exist and to be done precedent to and in the issuance of this bond, to render the same lawful and valid, have happened, been properly done and performed, and did exist in regular and due time, form and manner, as required by law.

IN TESTIMONY WHEREOF, the City of Grand Junction has caused this bond to be subscribed by the President of the Council, attested by the City Clerk under the seal of the City, and the interest coupons hereto attached to be attested by the facsimile signature of the City Treasurer, as of the 1st day of September, 1976.

\_\_\_\_\_  
Lawrence L. Kozisek  
President of the City Council

SEAL

Attest:

\Neva B. Lockhart  
City Clerk

(Form of Coupon)

No. \_\_\_\_\_

On the 1st day of September, A.D. 19\_\_\_\_\_, the City of Grand Junction, Colorado, will pay the bearer

\_\_\_\_\_ DOLLARS

in lawful money of the United States of America, at the office of the City Treasurer, in Grand Junction, Colorado, being six months' interest on its local public improvement bond of Sanitary Sewer District No. 33-76 provided the bond to which this coupon is attached has not been called for prior payment.

Attached to bond dated September, A.D. 1976.

No. \_\_\_\_\_

(Facsimile Signature)

\_\_\_\_\_  
City Treasurer

(Registration Certificate)

it is hereby certified that the within and foregoing bond has been registered in a suitable book kept for that purpose in the Office of the City Treasurer of the City of Grand Junction, Colorado, in accordance with the laws and ordinances under which same is issued.

Dated at Grand Junction, Colorado, this 1st day of September, A.D. 1976.

\_\_\_\_\_  
City Treasurer

The City Clerk is hereby authorized and directed to have printed the bonds authorized by this Resolution and when the same have been executed, to deposit the same with the City Treasurer, who shall deliver them to the lawful purchaser thereof, on receipt of the purchase price.

ADOPTED AND APPROVED this 4 day of August, 19976.

SEAL

\_\_\_\_\_  
Lawrence L. Kozisek  
President of the Council

Attest:

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City Clerk

It was moved by Councilman Tufly and seconded by Councilman Johnson that the Resolution be passed and adopted as read. Upon roll call all Council members voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

#### REQUEST NAMES FOR PLANNING COMMISSION VACANCY

The City Council has received the resignation of one of its Planning Commission members, Mr. Jerry Wilds, who has moved outside the City Limits. Therefore, Council is requesting names of volunteers who would be interested in filling the position.

#### AGREEMENT WITH SAME ANTONOPOULOS FOR PROPERTY TRADE

Presented for consideration was the Property Trade Agreement between the City and Mr. Sam Antonopoulos. It was moved by Councilman Johnson and seconded by Councilman Tufly that the Agreement be approved and the City Manager be authorized to sign said Agreement. Motion carried unanimously.

#### CITY MANAGER - BOND REFUNDING PROPOSALS

City Manager Wysocki noted that certain bond brokerage firms have indicated a desire to present proposals for refunding of bonds. Council indicated it is interested in receiving and reviewing the proposals.

#### WATER SERVICE LINES - RELOCATION - COST

Councilman Johnson stated he has received a complaint from an Orchard Mesa resident concerning the relocation of water lines and cost to property owners on lines. He was advised by the resident that when the area was annexed, the residents were told that some of the water lines would have to be relocated into the streets and meters placed at the edge of the street for the convenience of the City, and that the property owners would be liable for the cost of their service line from the meter to the house. This resident stated that the work is done, he has his hook-up, and has received a bill from the City for \$200. City Manager Wysocki assured Councilman Johnson that he would look into the matter and get back to Council.

#### DISTRICT XI COLORADO MUNICIPAL LEAGUE FALL MEETING

Councilman Johnson has become Chairman of the District 11 Colorado Municipal League and has now acquired the responsibility of setting up the fall District meetings. He requested input from the other Council members as to topics, time, etc.

#### REPORT - CML WORKSHOP

Councilwoman Quimby reported on last week's CML Workshop in Montrose. There were approximately 15 municipalities represented

with 50 to 60 people in attendance.

TOWN MEETING - PROCLAMATION

President Kozisek thanked the Kiwanis Club for handling the Town Meeting, Saturday, July 31, 1976. He stated that it was a well conducted and a very enlightening affair. The following Proclamation declaring Mr. and Mrs. Allan Boswick of Philadelphia, Pennsylvania, Honorary citizens of Grand Junction.

CML STUDY COMMITTEE - LAND USE & GOVERNMENTAL RELATIONS

President Kozisek said he has been appointed to serve as Vice Chairman of the Colorado Municipal League Study Committee on Land Use and Governmental Relations. The first meeting will take place in Denver, September 15, 1976.

ADJOURNMENT

It was moved by Councilman Van Houten and seconded by Councilman Brown that the meeting be adjourned. Motion carried with Councilwoman Quimby and Councilman Tufly voting NO.

Neva B. Lockhart

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Neva B. Lockhart  
City Clerk